

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ANDREAS PEFANIS, on behalf of himself and  
others similarly situated,

Plaintiff,

V.

WESTWAY DINER, INC.,

Defendant.

08 Civ. 0002 (DLC)

## SUBSTITUTION OF COUNSEL

IT IS HEREBY CONSENTED TO THAT the firm of THOMPSON WIGDOR & GILLY LLP, located at 85 Fifth Avenue, New York, NY 10003 be substituted as attorneys of record for Defendant Westway Diner, Inc. in the above-captioned action in place and instead of ~~Arthur H. Forman, Esq.~~ MITCHELL & FURMAN LLP, PC, 98-20 Metropolitan Avenue, Forest Hills, New York 11375 as of the date hereof. By the signature of their authorized representative below, this substitution is consented to by Defendant and by Arthur H. Forman, Esq.

Dated: New York, New York  
September 22, 2010

Westway Diner, Inc.

By:

Peter Dafnos

Mitchell & Forman  
Arthur H. Forman, Esq.

By:

Arthur H. Forman, Esq.  
98-20 Metropolitan Avenue  
Forest Hills, New York 11375  
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Facsimile: (718) 575-1600

THOMPSON WIGDOR & GILLY LLP

By:   
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